

Notice of Allowability

Application No.

10/645,310

Examiner

Betsey M Hoey

Applicant(s)

PURDY ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 21 August 2003.
2. ☒ The allowed claim(s) is/are 1-40.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/28/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

1. Claims 1-40 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Claims 1-19 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a method for treating a recirculating water system comprising introducing into the system a multifunctional, multilayer tablet, wherein the tablet comprises a fast dissolving layer and a slow dissolving layer, and the fast dissolving layer releases a specific combination of ingredients and the slow dissolving layer includes specific members, as recited in instant claim 1. It is submitted that U.S. Patent No. 4,389,318 to Wojtowicz teaches a composition for sanitizing bodies of water comprising a mixture, wherein the mixture may include the ingredients and members of the fast- and slow-dissolving layers of the instant claims. However, the claims of the present invention are not anticipated or rendered obvious by the compositions of Wojtowicz because Wojtowicz fails to suggest a multilayer tablet having a fast dissolving layer and a slow dissolving layer, but rather teaches a rapidly dissolving composition.

Claims 20-38 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a multifunctional, multilayer tablet, wherein the tablet comprises a fast dissolving layer and a slow dissolving layer, and the fast dissolving layer contains a specific member and ingredients, and the slow dissolving layer includes specific members, as recited in instant claim 20. It is submitted that U.S. Patent No. 4,389,318 to Wojtowicz teaches a composition comprising a mixture including the ingredients and members of the fast- and slow-dissolving layers of the instant claims. However, the claims of the present invention are not anticipated or rendered obvious by the

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compositions of Wojtowicz because Wojtowicz fails to suggest a multilayer tablet having a fast dissolving layer and a slow dissolving layer, but rather teaches a rapidly dissolving composition.

Claims 39 and 40 are allowed because the prior art of record fails to teach, disclose, or fairly suggest a method for treating a toilet tank comprising introducing into the toilet tank a multifunctional, multilayer tablet as described in instant claims 1 or 39. It is submitted that Wojtowicz teaches a composition for sanitizing bodies of water described above, but the claims of the present invention are not anticipated or rendered obvious by the compositions of Wojtowicz because Wojtowicz fails to suggest a multilayer tablet having a fast dissolving layer and a slow dissolving layer, but rather teaches a rapidly dissolving composition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Betsey Hoey whose telephone number is **(571) 272-1158**. The examiner can normally be reached on Mondays, Tuesdays, and Thursdays from 7:30-1:00 AM. The examiner's supervisor, Mr. Duane Smith, may be reached at (571) 272-1166. Any inquiry of general nature may be directed to the Group receptionist at (571) 272-0987. The centralized fax number for the Group is (703) 872-9306. The examiner Rightfax number is (571) 273-1158.

Betsey M. Hoey
BETSEY MORRISON HOEY
PRIMARY EXAMINER

October 18, 2004